

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 7/2/2024

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Samantha Siva Kumaran, et al.,

Plaintiffs,

-against-

National Futures Association, et al.

Defendants.

1:20-cv-03668 (GHW) (SDA)

**Samantha Siva Kumaran and Nefertiti Risk
Capital Management, LLC,**

Plaintiffs,

-against-

ADM Investor Services, Inc.,

Defendant.

1:20-cv-03873 (GHW) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

WHEREAS, on December 12, 2023, Plaintiff Kumaran filed a cross-motions for sanctions against Randy Kleinman, Esq. ("Attorney Kleinman"), purportedly on behalf of herself and "as representative on behalf of" Nefertiti Risk Capital Management, LLC ("NRCM") (Cross-Mot. for Sanctions, 20-CV-03668 ECF No. 341 at PDF p. 1, 20-CV-03873 ECF No. 257 at PDF p.1); and

WHEREAS, on December 19, 2023, this Court granted the motion of Attorney Kleinman to withdraw as counsel for NRCM in each of the above-captioned cases, but retained jurisdiction over Attorney Kleinman for purposes of the cross-motion for sanctions (12/19/23 Order, 20-CV-03668 ECF No. 348, 20-CV-03873 ECF No. 265); and


WHEREAS, on December 20, 2023, this Court denied NRCM's cross-motions for sanctions without prejudice to renewal by new counsel for NRCM and directed NRCM to file any renewed motion for sanctions no later than February 1, 2024 (12/20/23 Order, 20-CV-03668 ECF No. 350, 20-CV-03873 ECF No. 267); and

WHEREAS, following extensions of the deadline to file any renewed motion for sanctions, no renewed motion for sanctions was timely filed, and new counsel for NRCM filed a memorandum in which he stated that NRCM (as well as the other corporate plaintiffs) "decline[d] to move for sanctions in this proceeding through the current counsel but preserve this firm's right to bring separate claims in New York State court or appropriate forum with counsel retained for that purpose" (NRCM 4/1/24 Mot. to Compel, 20-CV-03668 ECF No. 393).

NOW, THEREFORE, having considered the filings made at ECF Nos. 427, 429, 430 and 431 and ECF Nos. 303, 306, 307 and 308 in 20-CV-03873, it is hereby ORDERED that the Court no longer retains jurisdiction over Attorney Kleinman for purposes of any motion for sanctions.

SO ORDERED.

Dated: New York, New York
July 2, 2024



STEWART D. AARON
United States Magistrate Judge